

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RAFAEL SANDOVAL, et al.,

Plaintiffs,

v.

BOBBY ALI, et al.,

Defendants.

No. C-13-03230 EDL

CASE MANAGEMENT AND
PRETRIAL ORDER FOR JURY TRIAL

Following the Further Case Management Conference held on June 10, 2014, IT IS HEREBY ORDERED THAT pursuant to Fed. R. Civ. P. 16, the following case management and pretrial order is entered:

1. DISCOVERY

a. All non-expert discovery shall be completed no later than May 29, 2015. There will be no further non-expert discovery after that date except by order of the Court for good cause shown. Motions to compel non-expert discovery must be filed within the time limits contained in Civil Local Rule 26-2.

b. All class fact discovery shall be completed no later than December 7, 2014. There will be no further class discovery after that date except by order of the Court for good cause shown. Motions to compel class discovery must be filed within the time limits contained in Civil Local Rule 26-2.

c. Class certification expert disclosures shall be made no later than December 31, 2014. All treating physicians who will provide opinion testimony beyond that which can be provided

1 by a lay person must be disclosed as expert witnesses, but they need not prepare expert reports unless
2 ordered to do so by the Court.

3 d. All class certification expert discovery shall be completed no later than January
4 28, 2015 . There will be no further class certification expert discovery after that date except by order
5 of the Court for good cause shown. Motions to compel class certification expert discovery must be filed
6 within the time limits contained in Civil Local Rule 26-2.

7 e. Rule 26(e)(1) of the Federal Rules of Civil Procedure requires all parties to
8 supplement or correct their initial disclosures, expert disclosures, pretrial disclosures, and responses to
9 discovery requests under the circumstances itemized in that Rule, and when ordered by the Court. The
10 Court expects that the parties will supplement and/or correct their disclosures promptly when required
11 under that Rule, without the need for a request from opposing counsel. **In addition to the general**
12 **requirements of Rule 26(e)(1), the parties will supplement and/or correct all previously made**
13 **disclosures and discovery responses 28 days before the fact discovery cutoff date.**

14 f. Pursuant to Civil L.R. 37-1(b), telephone conferences are available to resolve
15 disputes during a discovery event, such as a deposition, where the resolution during the event likely
16 would result in substantial savings of expense or time.

17 g. **Privilege logs.** If a party withholds information that is responsive to a discovery
18 request, and is otherwise discoverable under the Federal Rules of Civil Procedure, by claiming that it
19 is privileged, or protected from discovery under the attorney work product doctrine or any other
20 protective doctrine (including, but not limited to, privacy rights), that party shall prepare a "privilege
21 log" (Fed. R. Civ. P. 26(b)(5)) setting forth the privilege relied upon and specifying separately for each
22 document or for each category of similarly situated documents:

- 23 1. The name and job title or capacity of the author;
- 24 2. The name and job title or capacity of each recipient;
- 25 3. The date the document was prepared and, if different, the date(s)
26 on which it was sent to or shared with persons other than its
27 author(s);
- 28 4. The title and description of the document;
5. The subject matter addressed in the document;

6. The purpose(s) for which it was prepared or communicated; and

7. The specific basis for the claim that it is privileged.

The privilege log will be produced as quickly as possible, but no later than 14 days after the discovery responses are due (in a rolling production, 14 days after each set of documents is produced), unless the parties stipulate or the Court orders otherwise in a particular case.

h. In responding to requests for documents and materials under Rule 34 of the Federal Rules of Civil Procedure, all parties shall affirmatively state in a written response served on all other parties the full extent to which they will produce materials and shall, promptly after the production, confirm in writing that they have produced all such materials so described that are locatable after a diligent search of all locations at which such materials might plausibly exist.

3. MOTIONS

The last day to file a motion, or stipulation and proposed order, to join other parties shall be July 18, 2014.

The last day to file a motion, or stipulation and proposed order, to amend the pleadings shall be July 18, 2014.

The last day for hearing dispositive motions shall be August 4, 2015. Dispositive motions shall be served and filed no later than **thirty-five (35)** days prior to the scheduled hearing date. Briefing shall be in compliance with Civil Local Rule 7-3.

The last day hearing class certification motions shall be April 28, 2015. Class certification motions shall be served and filed no later than **February 17, 2015**. Class certification opposition, if any, shall be made no later than March 17, 2015. Class certification reply brief must be filed by March 31, 2015.

Dated: June 18, 2014


ELIZABETH D. LAPORTE
United States Chief Magistrate Judge